

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION**

DWAYNE SEALS,

Plaintiff,

Case No. 3:20-cv-11272

Hon. Robert H. Cleland

v.

WAYNE COUNTY and WAYNE  
COUNTY EMPLOYEES'  
RETIREMENT SYSTEM, and  
ROBERT GRDEN, in his individual  
capacity,

Defendants.

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**STIPULATED PROTECTIVE ORDER**

This matter having come before the Court upon stipulation of the parties, by and through their respective counsel, that they have stipulated to entry of this Stipulated Protective Order (hereinafter known as “Stipulated Protective Order”), and the Court being fully advised in the premises and, therefore,

IT IS HEREBY ORDERED:

1. The parties agree that these proceedings may involve the discovery and use of confidential, non-public, sensitive, or proprietary business, employment, tax, financial, and personally identifiable information, documents and other materials.
2. The parties agree to produce such documents only on the agreement that such “Confidential Information,” meaning current and former of Defendants’ employees’ social security information, dates of birth, personal banking information, medical information, and personnel records, be treated as follows.
3. In the case of documents and the information contained therein, designation of Confidential Information produced shall be made by placing the following legend on the face of the document and each page so designated “CONFIDENTIAL” or otherwise expressly identified as confidential. The parties will use their best efforts to limit the number of documents designated Confidential.

4. All documents (including emails and information within personnel files) designated as Confidential, and any pleading or paper reproducing, quoting, or paraphrasing any such information, will not be disclosed to anyone, except, and solely for the purpose of this action, to a party's expert, mediators, and at deposition or at trial. Every person to whom disclosure of such Confidential Information is made will be advised of this protective order and is subject to it. All records referenced in this protective order (or copies of them whether paper, photographic or digital) shall be used solely in this case and shall be destroyed at the conclusion of this case. Plaintiff's counsel shall provide written confirmation of document destruction to Defendants' counsel.

5. The production of any attorney-client privileged and/or work product protected document pursuant to this Stipulated Protective Order shall not constitute waiver of the privilege or protection and shall not constitute a general waiver of such privilege or protection.

6. Any party may challenge the designation of any information or documents as being subject to this Stipulated Protective Order by filing a motion for such relief. Pending resolution of such a motion the information or documentation shall remain subject to this Stipulated Protective Order. The party designating information or documents as Confidential Information shall have the burden of proof.

If another court or an administrative agency subpoenas or orders production of stamped Confidential documents which a party has obtained under the terms of this order, such party shall promptly notify the party or other person who designated the document as Confidential of the pendency of such subpoena or order.

Nothing in this Stipulated Protective Order shall prevent the release of information that is already in the public domain.

Nothing in the Stipulated Protective Order shall be deemed to preclude any party from seeking and obtaining, on an appropriate showing, a modification of this Order.

7. This Stipulated Protective Order shall survive the final conclusion of this action and shall continue in full force and effect until modified, suspended, or terminated by Order of this Court or by agreement of the parties. The Court shall retain jurisdiction over the parties and any other person bound by this Stipulated Protective Order for the purposes of enforcing its terms. Any violation of this order may give rise to appropriate sanctions against any person who causes, contributes to, or participates in, such a violation including but not limited to a finding of contempt and the assessment of damages, costs, and attorney's fees.

8. This is not a final order and does not dispose of this case.

**IT IS SO ORDERED.**

s/Robert H. Cleland  
Hon. Robert H. Cleland

DATED: December 22, 2021

Approved as to form and content on:

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Dated: December 20, 2021